



U.S. Department of  
Transportation

Office of the Secretary  
of Transportation

DOCUMENTARY SERVICE DIVISION  
Washington, D.C. 20590

96-30

Weekly Summary of Orders and  
Regulations

JULY 15 - JULY 19, 1996

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

96-7-14	OST-96-1456 OST-96-1461	<p>The Department approves and grants antitrust immunity to the IATA agreements contained in Dockets OST-96-1456 and OST-96-1461, as set forth in finding paragraph one to this order, subject, where applicable, to conditions imposed, relating to cargo rate matters. Served 7-17-96</p> <p>Intervening numbers appeared on a previous summary.</p>	7-11-96
96-7-17	OST-95-689	<p>APPLICATION OF JET ASPEN, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. 41102 TO ENGAGE IN INTERSTATE SCHEDULED AIR TRANSPORTATION OF PERSONS, PROPERTY, AND MAIL: The Department dismisses the application of Jet Aspen, Inc., in Docket OST-95-689 without prejudice; Withdraws Order 96-1-16, tentatively finds Jet Aspen, Inc., fit willing, and able to engage in interstate scheduled air transportation of persons, property, and mail Served 7-18-96</p>	7-12-96
96-7-18	OST-95-782	<p>U.S.-TORONTO SECOND YEAR SERVICE PROCEEDING: The Department makes final its tentative decision to grant certificate authority to continued.....</p>	7-5-96

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96-7-18	OST-95-782	continued..... Continental Airlines, Inc. (Continental) and USAir, Inc. (USAir) to operate two daily round-trip scheduled combination frequencies each, Continental between Newark and Toronto and USAir between Washington, D.C. (National) and Toronto. Makes final its tentative decision to grant backup authority to Northwest Airlines, (Northwest)(as backup to both Continental and USAir) to operate two daily round-trip scheduled combination frequencies between Minneapolis/St. Paul and Toronto. Served 7-18-96	7-5-96
96-7-19	OST-96-1538	U.S.-TORONTO THIRD YEAR SERVICE PROCEEDING: The Department institutes a non-oral proceeding to select up to four primary carriers and up to four backup carriers to operate two daily scheduled combination frequencies each between the United States and Toronto under the 1995 air services agreement between the U.S. and Canada. Served 7-18-96	7-12-96
96-7-20	Undoc'd	FITNESS DETERMINATION OF MERLIN EXPRESS, INC. AS A COMMUTER AIR CARRIER UNDER 49 U.S.C. 41738: The Department confirms its oral action making commuter air carrier authority of Merlin Express, Inc., effective on July 12, 1996. Reissues to Merlin Express, Inc., the Commuter Air Carrier Authorization issued by Order 96-7-11, in the attached form to reflect its effective date. Served 7-19-96	

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96-7-21	OST-95-792	<p>AMERICAN EAGLE) AND CANADIAN AIRLINES INTERNATIONAL LTD. AND ONTARIO EXPRESS LTD. AND TIME AIR INC. (D/B/A CANADIAN REGIONAL) AND INTER-CANADIAN (1991) INC. FOR APPROVAL OF AND ANTITRUST IMMUNITY FOR A COMMERCIAL ALLIANCE AGREEMENT UNDER 49 U.S.C. SECTIONS 41308 AND 41309:</p> <p>The Department grants final approval and antitrust immunity for a Commercial Alliance Agreement (the “Alliance Agreement”), between American Airlines, Inc. and its regional affiliates (“American”) and Canadian Airlines International, Ltd. and its regional affiliates (“CAI” or “Canadian”) pursuant to 49 U.S.C. Sections 41308 and 41309. The grant of antitrust immunity does not encompass (1) the service relating to fares and capacity for particular categories of U.S. point-of-sale local passengers in the New York-Toronto market, (2) operations involving all-cargo services, and (3) operations involving services to or from third countries, as fully described in this order;</p> <p>Directs the Joint Applicants to resubmit for renewal their alliance agreement five years from the date of the issuance of this Order. If the Joint Applicants choose to operate under a common name or brand, they must obtain advance approval from the Department of Transportation (“the Department”) before implementing the arrangement.</p> <p>Served 7-16-96</p>	7-15-96
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96-7-22	OST-96-1551	<p>IN THE MATTER OF THE FOREIGN AIR CARRIER PERMIT OF: JAPAN AIR LINES COMPANY, LTD.:</p> <p>The Department tentatively finds that the foreign air carrier permit held by Japan Air Lines Company, Ltd. (JAL) should be amended to impose a condition that would, until further Order of the Department, precludes it from carrying on any of its scheduled all-cargo services from Japan to the United States, any cargo which is carried to Japan on any service of any Japanese air carrier from Cebu and Manila, the Philippines; Jakarta, Indonesia; and Beijing and Shanghai, China.</p> <p>Served 7-16-96</p>	7-16-96
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96-7-23	OST-95-934	<p>ESSENTIAL AIR SERVICE AT GOODLAND, KANSAS AND LAMAR, COLORADO UNDER 49 U.S.C. 41731 ET SEQ.:</p> <p>The Department requests that carriers interested in providing essential air service at Goodland, Kansas, or Lamar, Colorado, submit their proposals, with subsidy requests if necessary, within 20 days after the date of service of this order. Proposals should include all the data required by section 204.4 of the Department's Regulations (14 CFR Part 204.4). An Original and five copies of the proposal should be sent to the EAS &amp; Domestic Analysis Division, X-53, Office of</p>	7-16-96
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Aviation Analysis, Room 6401, Department of Transportation, 400 - 7th Street, S.W., Washington, D.C. 20590, with the Title, "Proposal to Provide Essential Air Service at Goodland and/or Lamar, Docket OST-95-934.  
Served 7-22-96

96-7-24	OST-96-1384 OST-95-1385	APPLICATIONS OF UNITED PARCEL SERVICE CO. FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER 49 U.S.C. SECTION 41102 TO ENGAGE IN INTERSTATE AND FOREIGN CHARTER AIR TRANSPORTATION OF PERSONS, PROPERTY, AND MAIL:	7-16-96
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The Department tentatively finds that United Parcel Service Co. is fit, willing, and able to provide interstate and foreign charter air transportation of persons, property, and mail as a certificated air carrier.  
Served 7-17-96

96-7-25	OST-96-1411	JOINT APPLICATION OF UNITED AIR LINES, INC. AND SCANDINAVIAN AIRLINES SYSTEM FOR APPROVAL OF AN ANTITRUST IMMUNITY FOR AN ALLIANCE EXPANSION AGREEMENT UNDER 49 U.S.C. SECTION 41308 AND 41309:	7-18-96
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Defers action on the Joint Applicants' motions for confidential treatment of certain data and documents;  
With respect to the additional data and documents filed separately by the Joint Applicants on July 1, 1996, for which they request confidential treatment, the Department will limit access to counsel and

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outside experts, and require that persons seeking to review these documents file appropriate affidavits, pending the rule on those motions  
 Answers to the Joint Application due August 8, 1996 and Replies due August 19, 1996.  
 Served 7-18-96

96-7-26	OST-96-1547	COMPLAINT OF NORTHWEST AIRLINES, INC. AGAINST THE GOVERNMENT OF INDONESIA UNDER 49 U.S.C. SECTION 41310: The Department invites interested persons to file answers to the complaint of Northwest Airlines, Inc., in Docket OST-96-1547 no later than August 1, 1996 and replies are due no later than August 6, 1996. Served 7-22-96	7-22-96
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ORDERS NOT RELEASED AS OF JULY  
 19, 1996:  
 96-7-27, 96-7-28, 96-7-29, 96-7-30

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